MINUTES

MILWAUKIE CITY COUNCIL WORK SESSION
APRIL 5, 2005

Mayor Bernard called the work session to order at 5:30 p.m. in the City Hall Council Chambers.

Council Present: Councilors Barnes, Collette, Loomis, and Stone.

Staff Present: City Manager Mike Swanson, Planning Director John Gessner, Finance Director Stewart Taylor, Engineering Director Paul Shirey, Operations Director Kelly Somers, and Operations Supervisor Streets Mike Clark.

Advisory Board Interviews

The Council interviewed the following persons for re-appointment to their advisory board positions: Ray Harris, Park and Recreation Board; Patty Wisner, Design and Landmarks Committee; Molly Hanthorn, Center/Community Advisory Board; Leslie Schockner and David Aschenbrenner, Budget Committee. Melissa Arne, a new applicant, was interviewed for a current vacancy on the Budget Committee.

Railroad Crossing Quiet Zone

Mr. Shirey was joined by Scott Hale, Civil Engineer with HDR, Inc., and Mike Webb, Railroad Signals Manager, to respond to technical questions. The Union Pacific mainline went through the middle of Milwaukie. It was 2.4 miles through the City with 4 at-grade crossings at which locomotive were required to sound their horns. The issue with the horn noise was a long-standing source of frustration. The map indicated the grade crossings, and the circles illustrated the ¼-mile distance at which the trains were required to sound their horns. There was a lot of residential housing within ¼-mile of the track. He guessed if the City did a noise study that the noise would probably be at decibel levels to bother people who were even further. The Federal Railroad Administration was considering rules in April.

Mr. Webb commented that the agency was very methodical.

Mr. Shirey continued that those were imminent, and Milwaukie could take advantage of these upcoming rules. The report went into detail on each crossing and its configuration relative to rights-of-way and identified a proposed quiet zone set of measures. Those were additional crossing dates, center medians to prevent, and electronics that controlled the gates as a backup in the event power was lost.

For the 4 grade crossings, it would cost from $825,000 to $965,000 total. He did not recommend this was what the City should do and was presenting information to the City Council and public. He would take this report to the Neighborhood Associations who wanted to hear about the study in more detail. He thought the

City might look at setting up a local improvement district (LID) to assess property owners within a certain noise corridor. Apparently that method was used successfully in Vancouver, Washington. People were so fed up with the noise that they were willing to make payments to implement the measures.

Councilor Barnes asked how many calls the City was getting.

Mr. Swanson replied, although he did not get a lot of calls, this was probably one of the top 3 or 4 issues he was questioned about by phone and at neighborhood meetings. That was probably due to the number of crossing and the continuity. Something was always sounding when a train went through.

Councilor Barnes asked what funding alternatives there were other than coming out of the City budget or forming an LID.

Mr. Shirey said those were the only options he identified because he did not know of any federal or railroad assistance programs.

Mr. Swanson added the proposed Federal Railroad Administration Rules specifically exempted the railroads from any contributions. It would be a local responsibility. The theory was that congress required the sounding of the whistles for safety. As long as there were no other safety provisions at the crossings, they did not require anything else. It somehow had to be on the local jurisdictions. If the City had flexibility, then it could finance it over 4 or 5 years. However, the City did not have the money, and he did not see any federal money available.

Councilor Barnes commented that she grew up in Cedarcrest. She still lived in that area, but she no longer heard it. It got to the point after living there for years that it was just part of the neighborhood. With that many phone calls, she understood the City needed to address the issue. The longer a person lived in this town the more they tuned it out. She had not heard any complaints about the noise from people who had lived there for a long time.

Councilor Stone asked how the City was measuring the need for this. She lived near the tracks and had done so for more than 20 years. She agreed that one did tune it out. Her concern was the need and how to measure it. Did a few complaints by a few citizens validate spending almost $1 million? Her other concern was the LID in Vancouver. What were the demographics? The demographics in Milwaukie would probably not support funding these projects with LIDs.

Mr. Webb replied that the homes in Vancouver were more expensive and were along the Evergreen Hwy. Councilor Stone had made a very good point. Five years ago he retired from his Signal Manager's position with UP, and this was part of his district. The railroad had done a lot with its own dollars to lessen the cost impact. At Harmony, there was a new instrument house as well as one near Mike's Drive-In. The crossing at 37th Avenue and Oak still had the 12-inch lights, and he thought there was a good possibility for a partnership to defer some of the costs. In order to have a quiet zone, one had to have a least ½ mile. Milwaukie had two zones. The zone with the 3 crossings was the worst for noise. What

was the long-term projection for an overpass at Harmony Road? He used to push for that himself.

Mayor Bernard believed that would result in taking out 2 blocks from the neighborhood, so that was unlikely. He believed it was still in the County's Capital Improvement Plan (CIP).

Mr. Webb said if Milwaukie was really interested, the railroad was also. He could not say it would put any money toward it, but there were a lot of people who could figure out ways to do this so it would not be so costly. He would be willing to help. He had a personal interest because he used to attend church on Linwood Avenue. There was probably about $180,000 of railroad money plus some state funds that were put into the adjacent traffic signals. It was not as if the City would have to start from scratch. If the Council was interested, he could get a more realistic idea of the cost. There would be a quiet zone conference in Southern California in April, so he would look at some of the new equipment that might be less costly. He could not say what the bottom line would be at this point. It was certainly an issue with a lot of communities. They did a 48-crossing zone in northeast Ohio. One set of double mains had 80 trains per day, and the other had 60. The person living in the center could hear over 6,200 whistle sounds per day.

Mr. Swanson said this was done because there were enough inquiries that staff needed to be able to tell Council and people what would need to be done and how much that would cost. In the past year he talked with a safety person at the railroad. He had concerns about safety even with the development of a quiet zone. Even with the regulations and the equipment that would be required to establish a quiet zone, he was still concerned about safety and preventing the potential for accidents to happen. The railroad was doing what it was required under federal regulations, and the City would be choosing to establish the quiet zones.

Mr. Hale said there were funding options if one look at the whole corridor as a safety improvement. He discussed the feasibility of closing one of the crossings and getting federal grants to upgrade the others.

Mr. Webb said the only choice of street closure might be 37th Avenue.

Mayor Bernard met with someone last week who was starting to raise money to solve some of these issues based on the need for freight mobility. They were trying to raise money to upgrade crossings.

Mr. Webb had volunteered for Metro's Transportation Committee, and like everyone else, it had limited funds.

Councilor Collette was going to meet with the Oregon Energy Trust to find out if there was a way for Milwaukie to reduce its street lighting budget and any other budgets with energy grants. They wanted to push upgrading traffic signals, and she would ask if there was a potential to upgrade railroad-crossing signals. They had a lot of money, and the Trust approached her about giving money to Milwaukie.

Pavement Management Report

Mr. Shirey, Mr. Somers, and Mr. Clark were joined by Michael L. Rybka, President, EIS Inc. and Joel Conder, Senior Project Manager provided the staff report.

Mr. Shirey said the report done by the consultants to test and evaluate the conditions of the streets in Milwaukie provided a quantitative means to talk to people about the greatest needs in terms of preserving the street surface or doing things within a relatively short period of time to prevent the streets from becoming so deteriorated that they had to be rebuilt. He discussed spending money on the street system so that conditions did not continue to deteriorate.

Mayor Bernard said one of his greatest concerns was King Road, which was, next to Railroad Avenue, one of Milwaukie's worst streets.

Mr. Somers discussed the option of taking the blacktop off and mixing cement with the existing dirt that sets up like concrete. That saved a lot of money. The travel lanes on King Road were deteriorating, but the center lane was not. One idea was to not worry about the center lane, deal with the travel lanes, and then pave over the whole thing. That would probably save quite a bit of money. There were many ways to rebuild a street, but he was a true believer in the concrete treated base. The City was trying to reserve some money in the street budget next year.

Mr. Rybka said Milwaukie hired his firm in 2004 to assess the City streets. An inventory was developed by driving all the streets in the City, measuring it in terms of length and width and giving it some identifiers to know what the inventory was and what the street network was made up of. In the second phase, inspectors went out to evaluate each street in the City based on a set criteria on the types of pavement distresses and deficiencies. Those were rated on severity – low, medium, and high – as well as quantities. Once that information was gathered, there was a series of components to the pavement management system the City purchased which took it through the inventory piece and budget analysis modules. He called this the financial impact analysis. They compared what the City was currently spending, the predicted models, and several scenarios of how much it would cost for Milwaukie maintain its streets. It was important to remember that the rate of deterioration was constant and without intervention, the cost of providing desired service levels increased if adequate investments were not made.

Milwaukie had 70 miles of centerline miles and 138.6 miles of lane miles. This recognized that arterials ad collectors often had multiple lanes. Those were the major roads. There were 4.6 miles of arterials, 12 miles of collectors, and 54 miles of residential roads. Based on the hierarch, collectors were the main roads moving through town taking traffic from the neighborhoods to the major roads to the state routes.

A pavement management program was a method to effectively manage streets and a planning tool to aid in decision making for broad areas or individual streets.

One could look at the timing and scheduling based on the predicted models in the pavement management system. It had a pavement deterioration model. One could find out the condition in the future based on current predictive models and what the overall street condition would be if no maintenance were done. It was also a cost benefit analysis tool to determine the differences between spending money today or deferring and the effects of various treatments. The rating of the pavement condition index was the score of overall condition of the road. It began at '0' and went to '100.' Once one had the score identified, it also began placing streets into a decision tree matrix based on the range of the pavement conditions. Decisions could be made on the street conditions. The budget needs analysis was the first financial impact that was produced. At this point the inventory was developed, the condition assessment was done, and the decision tree was based on the City's cost of doing business. This provided a good snapshot of what it would cost the City to do street maintenance and rehabilitation. He often referred the budget needs analysis to the 'blank check theory.' Without any fiscal constraints, this was how much it would cost to bring up the street system to a given benchmark. The pavement management system strived to bring the streets up to a condition of 82. There were also budget scenarios or 'what if' analyses. Once there was a budget number, then various scenarios could be run to provide quantified answers based on funding. It demonstrated and quantified deficiencies for current and future allocation. Another component was the GASB 34 accounting reporting. The pavement management system provided information for compliance purposes.

When streets were in these conditions, there were no further options. Reconstruction could be from $40 – $150 per square yard based on the functional classification. Given the fact that all roads when overlaid began at 100%, in order to maintain the same level of service, the cost on a square yard basis continued to increase. The City had the opportunity to stretch dollars further with early intervention.

In 2004, the City's overall network condition was 67. 60% was good condition, 17% was satisfactory, 15% was fair, and 7% was poor. Mr. Rybka provided slides that gave examples of the various conditions. He noted that a city bus was equivalent to 7,000 cars making a single trip, so they had an adverse impact on streets over time. He offered a quotation, "Streets maintained in a good to excellent condition cost significantly less to maintain."

Mr. Rybka discussed the needs analysis which was originally based on a 6-year window. The City would need $5.9 million to rehabilitate the streets with a current annual budget of about $200,000. He provided a financial distribution based on the functional classes. A majority of the funding requirements were for those residential roads. If funding were not an issue, it would require $8.5 million -- $850,000 annually -- over a ten-year period to maintain the pavement condition index at that level. He discussed the streets that were not being addressed but should be based on the assessment. Although the City was spending $200,000 annually, over a 10-year period the pavement index dropped to 55 and was

almost ready to drop into the fair category. The unmet needs were $1.7 million. The cost of deferred maintenance was continuing to grow at an exponential rate.

One of the Budget Committee members had asked about the sliding scale and the potential plane crash. There was still time for adjustment after pondering the results and working with the engineering staff. It would be about $450,000 per year to maintain the status quo with a 67 rating. If the City wanted to improve slightly, it would take $600,000 to get to 76. He noted the ideal rating was 82 in the pavement management system. Mr. Rybka liked 76 because the City could still get by with low-cost maintenance alternatives without going into extensive overlays or dig-outs. It could get by with low cost alternatives such as seal coating and other inexpensive treatments. It may not be a perfect world, but could get maintenance done at a lower cost once it got to that point; however, that point was still a quantum leap.

Mr. Rybka added some recommendations to pursue additional funding. Other cities have been successful with local maintenance access fees. He discussed the Wilsonville model that was $3 – $5 for a residence. The city was able to give rebates once all of its maintenance needs were addressed. Other recommendations were to develop investment level funding packages, and develop a 3-year plan with measurable outcomes.

Mayor Bernard thought the solution was in street lighting.

Councilor Collette asked if the work on Lake Road would affect the charts in any significant way.

Mr. Shirey replied it would bring the number of lane miles up and increase to condition rating slightly if nothing else were done.

Mr. Rybka said it was a fraction of a larger pie. It would increase the overall condition slightly and would reduce the overall impact. He discussed the functional classifications. Arterials and collectors had a higher rating and were typically more expensive because they carried higher volumes of traffic because of curbs and sidewalks and pavement widths and structures.

Councilor Collette asked if the new transportation systems development charge (SDC) would help in any way.

Mr. Shirey replied that SDCs can only be used to provide for new capacity and cannot be used for pre-existing deficiency. The longer the City waits and conditions worsen, the greater the cost.

The group discussed the quality of the last King Road repairs.

Mr. Somers indicated it was a state overlay project that was very poorly done.

Councilor Barnes asked why the City did not complain about the quality of the project. Those were the calls that she got. People were tired of trying to drive on it and wanted to know when it was going to be fixed.

Mr. Somers said the contractor did what he was told to do.

Councilor Barnes suggested adding that to the list of things to call the State Representatives about.

Mr. Shirey said Lake Road between 21st and 38th Avenues would be rebuilt. It did not require that level of reconstruction from 38th Avenue to the east.

Councilor Loomis said the presentation was very helpful and was the first time it was broken down individually. People could use this information to make an educated decision. The biggest problem with roads was at one time the streets budget looked really flush, and the decision-makers decided to pay for street lighting out of that. It originally came out of the general fund. When a pot looked big, there was likely a need there, and eventually there would be consequences.

Mayor Bernard agreed at one time cities were really flush with gas tax money, and many used it to pay for street lighting. He thought the City needed to resolve that and get street lighting back into the general fund. He recommended that the City add street lighting to the PGE bills. That would be taxing the citizens and would be easier today to put $.25 to $.30 cents on each bills than taxing people in the future.

Councilor Loomis commented this made it easier to relay the message to the people who would be more willing to pay if they believed and trusted their local governments. People thought the City was just not spending the money it had to fix the streets.

Councilor Stone thought King Road was a fine example of why citizens mistrust how government spends money. That was a waste of time and money. She asked what the City could forecast in terms of getting grants or tap other sources of funding to do some of these needed projects.

Mr. Shirey said it was difficult to forecast grants. The City spent a lot of time and energy getting the McLoughlin Boulevard and Lake Road grants. About every 6 years when the reauthorization of federal highway funds comes up, the City had a chance to get a project. Metropolitan Transposition Improvement Project (MTIP) funds were limited, and Milwaukie did receive $450,000 this year for the downtown project. Predicting grant amounts was really difficult. Milwaukie needed a dedicated and constant flow of dollars to keep the pavement conditions from ongoing deterioration.

Councilor Stone said a lot of the breakdown of the City streets was due to TriMet busses. 32nd Avenue was reconstructed with gas tax dollars and cost just under $1 million. Why was TriMet not held accountable for putting some money in for keeping City streets in good repair?

The group discussed TriMet's paying gas taxes and how those funds were apportioned.

Councilor Stone added that Milwaukie had a lot of busses traveling through the community and noted that routing on 32nd Avenue just increased.

Mr. Shirey said the City should make sure that busses stayed on arterials and collectors because they were built at a design standard to handle the weight.

Councilor Stone commented that 32nd Avenue had really held up, whereas King Road had not. It always concerned her when street cuts were made.

Mr. Shirey concluded that the City would continue to use the software it bought to periodically assess and update the condition of the streets. It had a lot of tools to portray the choices and tradeoffs to citizens if the Council wished to move to a new funding mechanism. He believed it was a great asset and hoped the City could find a way to increase the overall funding level to maintain the street system.

Councilor Collette heard over and over again about the condition of King Road, and it was a major concern of Milwaukie citizens.

Councilor Loomis suggested making this presentation to the Budget Committee next year.

Mr. Rybka observed there was not a lot of hope that the Legislature would address transportation issues. Local agencies – cities and counties – were solving the problems on their own volition.

Mayor Bernard adjourned the work session at 6:54 p.m.

Pat DuVal

Pat DuVal, Recorder